

# **Exhibit C**

## **Public-Redacted**

KELLOGG, HANSEN, TODD, FIGEL & FREDERICK, P.L.L.C.

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July 16, 2018

*Via Electronic Mail*

Brian Ross, Esq.  
Gibbs & Bruns LLP  
1100 Louisiana, Suite 3500  
Houston, TX 77002

Re: *In re Dealer Management Systems Antitrust Litigation*, MDL No. 2817

Dear Brian:

We write to inquire about certain redactions in Reynolds' production. Based on our review to date, it appears that Reynolds is redacting portions of documents on grounds other than privilege. [REDACTED]

[REDACTED] We do not believe there would be any plausible grounds to assert privilege over Mr. Brockman's response. Moreover, Mr. Brockman's response may be highly relevant in light of other evidence that, during that period, CDK and Reynolds had conspired to eliminate Authenticom and other data integrators. Why is Mr. Brockman's response redacted?

The Appendix to this letter contains the 105 documents in Reynolds' production that we are concerned have improper redactions based on our current review (which is ongoing). Several examples are identified below.

Bates	Description
REYMDL00131989	[REDACTED]
REYMDL00132319	[REDACTED]
REYMDL00132458; REYMDL00132459	[REDACTED]

REYMDL00133513; REYMDL00133517	[REDACTED]
REYMDL00133552	[REDACTED]
REYMDL00137755; REYMDL00137756; REYMDL00137757	[REDACTED]
REYMDL00139208	[REDACTED]
REYMDL00139211	[REDACTED]
REYMDL00139260	[REDACTED]
REYMDL00139800	[REDACTED]
REYMDL00139840	[REDACTED]
REYMDL00140611	[REDACTED]

Neither the protective order nor ESI protocol allow for redaction of information on grounds other than privilege, and of course any redactions must actually be justified by a bona fide basis of privilege. Rather, the protective order allows the parties to designate documents as confidential or highly confidential to the extent they contain certain types of sensitive information. *See* Agreed Confidentiality Order (ECF No. 104) §§ 2(c), (g), 3(a).

Please confirm that Reynolds will cease redacting information on grounds other than privilege and provide replacement copies without redactions for all documents containing redactions based on grounds other than privilege. To the extent Reynolds does not provide replacement copies for any of the identified documents, please provide the basis for why the identified documents are in fact properly redacted.

Best regards,

*s/ Michael N. Nemelka*

Mike Nemelka

Enclosure

CC: MDL Counsel Email List

### Appendix

REYMDL00131905	REYMDL00133305	REYMDL00139260
REYMDL00131926	REYMDL00133433	REYMDL00139261
REYMDL00131976	REYMDL00133480	REYMDL00139477
REYMDL00131982	REYMDL00133513	REYMDL00139689
REYMDL00131989	REYMDL00133517	REYMDL00139694
REYMDL00132230	REYMDL00133521	REYMDL00139716
REYMDL00132289	REYMDL00133536	REYMDL00139723
REYMDL00132297	REYMDL00133552	REYMDL00139769
REYMDL00132305	REYMDL00133578	REYMDL00139800
REYMDL00132313	REYMDL00133586	REYMDL00139808
REYMDL00132319	REYMDL00133654	REYMDL00139818
REYMDL00132449	REYMDL00133665	REYMDL00139830
REYMDL00132452	REYMDL00133677	REYMDL00139840
REYMDL00132458	REYMDL00133689	REYMDL00139841
REYMDL00132459	REYMDL00133707	REYMDL00139984
REYMDL00132460	REYMDL00133727	REYMDL00139987
REYMDL00132467	REYMDL00133747	REYMDL00140026
REYMDL00132469	REYMDL00133768	REYMDL00140028
REYMDL00132473	REYMDL00133792	REYMDL00140065
REYMDL00132480	REYMDL00133818	REYMDL00140562
REYMDL00132501	REYMDL00133844	REYMDL00140611
REYMDL00132548	REYMDL00133871	
REYMDL00132555	REYMDL00133898	
REYMDL00132566	REYMDL00137058	
REYMDL00132683	REYMDL00137671	
REYMDL00132685	REYMDL00137714	
REYMDL00133077	REYMDL00137721	
REYMDL00133095	REYMDL00137755	
REYMDL00133099	REYMDL00137756	
REYMDL00133100	REYMDL00137757	
REYMDL00133103	REYMDL00137950	
REYMDL00133105	REYMDL00138129	
REYMDL00133107	REYMDL00138131	
REYMDL00133111	REYMDL00138133	
REYMDL00133115	REYMDL00138136	
REYMDL00133157	REYMDL00138480	
REYMDL00133171	REYMDL00138951	
REYMDL00133218	REYMDL00138956	
REYMDL00133248	REYMDL00138957	
REYMDL00133293	REYMDL00139011	
REYMDL00133296	REYMDL00139209	
REYMDL00133300	REYMDL00139211	